

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,029

IN THE MATTER OF:

Served October 27, 2006

Application of BATES TOURS & CHARTER)
SERVICE INC. for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-2006-115

Applicant proposes commencing operations with three motorcoaches and one minibus. Applicant proposes operating under a tariff containing charter rates, mileage and/or hourly rates, individual and/or group sightseeing rates, airport shuttle rates, rates for ambulatory and/or wheelchair transportation, and rates for transportation under contracts with government agencies and private entities.

Notice of this application was served on June 30, 2006, in Order No. 9708. The order directed applicant to publish further notice in a newspaper of general circulation in the Metropolitan District, no later than July 14, 2006.

On August 10, 2006, applicant filed a request for an extension of the publication deadline. The extension was granted in Order No. 9822, served August 11, 2006. The order directed applicant to publish further notice in a newspaper of general circulation in the Metropolitan District, no later than August 25, 2006.

On September 7, 2006, applicant requested a second extension of the publication deadline. The extension was granted in Order No. 9934, served September 22, 2006. The order directed applicant to publish further notice in a newspaper of general circulation in the Metropolitan District, no later than October 6, 2006.

On September 27, 2006, applicant filed an affidavit attesting to publication of notice in accordance with Order No. 9822, rather than Order No. 9934. Once the latter order was issued, however, applicant was obliged to comply with it.¹ Further, it appears that the notice applicant published was defective in that it did not disclose a valid address for applicant.

Under the circumstances, applicant will be directed to republish notice in a newspaper of general circulation in the Metropolitan District disclosing applicant's new address. A new protest deadline, which is determined by reference to the publication deadline, shall be established, as well.

¹ See Commission Rule 7-03 (Commission order effective as of date issued).

No further extensions will be granted.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than November 13, 2006, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than November 27, 2006, an affidavit that notice has been published as required in the preceding paragraph.

3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is November 27, 2006, and that copies must be served on applicant's compliance officer, Annette D. Burt, 1549 Old Bridge Road, #301, Woodbridge, VA 22193.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read 'William S. Morrow, Jr.', written in a cursive, stylized script.

William S. Morrow, Jr.
Executive Director